United Nations A/53/L.44

General Assembly

Distr.: Limited
20 November 1998

Original: English

Fifty-third session
Agenda item 20 (b)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: Special economic assistance to individual countries or regions

Afghanistan, Armenia, Azerbaijan, Belarus, Brazil, Canada, China, Georgia, Greece, India, Japan, Kazakhstan, Kyrgyzstan, Morocco, Republic of Korea, Russian Federation, Slovenia, Tajikistan, Turkey, Turkmenistan, Ukraine, United States of America and Uzbekistan: draft resolution

Emergency international assistance for peace, normalcy and rehabilitation in Tajikistan

The General Assembly,

Recalling its resolutions 51/30 J of 25 April 1997 and 52/169 I of 16 December 1997,

Recalling also Security Council resolutions 1113 (11997) of 12 June 1997, 1128 (1997) of 12 September 1997, 1138 (1997) of 14 November 1997, 1167 (1998) of 14 May 1998 and 1206 (1998) of 12 November 1998,

Having considered the report of the Secretary-General of 1 September 1998,[1]

Welcoming the progress made by the parties in the movement towards the implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[2]

Commending the efforts of the United Nations, in particular those of the Special Representative of the Secretary-General for Tajikistan and of the personnel of the United Nations Mission of Observers in Tajikistan, in assisting the parties in the implementation of the General Agreement,

Noting that the economic situation in Tajikistan remains bleak, constraining the efforts of the Government of Tajikistan to support the vulnerable population, including returning

[1] A/52/500.
[2] A/52/219–S/1997/510, annex I.

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refugees and displaced persons, and that the country remains in dire need of humanitarian, rehabilitation and development assistance,

Expressing its regret over a muted response to the 1998 United Nations inter-agency appeal for Tajikistan,

Recognizing the need for international support in creating conditions to shed the dependency of Tajikistan on humanitarian assistance, thus preventing Tajikistan from becoming a permanent emergency,

Bearing in mind the close interrelationship between ensuring peace and achieving national reconciliation in Tajikistan and the ability of the country to meet the humanitarian needs of its people and to take effective steps towards the rapid revitalization of the economy, and reaffirming the urgent need to assist Tajikistan in its efforts to restore basic services and the infrastructure of the country,

Expressing concern that the security situation in parts of Tajikistan remains volatile,

Deeply concerned about the danger posed by landmines in Tajikistan,

1. *Takes note* of the report of the Secretary-General[1] and endorses the observations and recommendations set out therein;

2. *Welcomes* the efforts aimed at achieving peace and national reconciliation in Tajikistan, and encourages the parties to expedite the full implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[2] and encourages the Commission on National Reconciliation to continue its efforts, in particular those aimed at the institution of a broad dialogue among the various political forces in the country in the interests of restoration and strengthening of civil accord in Tajikistan;

3. *Welcomes with appreciation* the efforts undertaken by the Secretary-General in drawing the attention of the international community to the acute humanitarian problems of Tajikistan and in mobilizing assistance for the implementation of the General Agreement and the rehabilitation and reconstruction of the country;

4. *Welcomes* the appointment by the Secretary-General of the United Nations Resident Coordinator as Deputy Special Representative of the Secretary-General in Tajikistan;

5. *Expresses its appreciation* to the States, organizations of the United Nations system, the World Bank, other intergovernmental organizations and all relevant humanitarian organizations, agencies and non-governmental organizations, including the International Committee of the Red Cross, that have responded and continue to respond positively to the humanitarian needs of Tajikistan;

6. *Welcomes* the pledges made at the donor conference convened by the Secretary-General at Vienna on 24 and 25 November 1997 to obtain international support dedicated to the implementation of the General Agreement, in particular in the areas of political reconciliation and democratization, the demobilization and reintegration of ex-combatants and the reform of power structures and the repatriation and reintegration of refugees and internally displaced persons, and invites the donor countries to continue to provide necessary assistance;

7. *Notes with satisfaction* the results of the meeting of the World Bank Consultative Group on Tajikistan held in Paris on 20 May 1998;

8. *Encourages* Member States and others concerned to continue assistance to alleviate the urgent humanitarian needs of Tajikistan and to offer support to Tajikistan for the rehabilitation and reconstruction of its economy;

9. *Welcomes* the intention of the Secretary-General to continue the United Nations humanitarian programme in Tajikistan by issuing a consolidated inter-agency appeal for humanitarian assistance to Tajikistan for 1999, and invites Member States to fund programmes included in the appeal;

10. *Strongly condemns* the murder of four members of the United Nations Mission of Observers in Tajikistan, and urges the parties to ensure the safety, security and freedom of movement of United Nations and other international humanitarian personnel as well as the safety and security of their premises;

11. *Encourages* the parties to cooperate in order to reduce the threat from the indiscriminate use of landmines to the civil population of Tajikistan and to the provision of humanitarian assistance;

12. *Recognizes* that comprehensive international support remains essential for the intensification of the peace process in Tajikistan, and reminds both parties that the ability of the international community to mobilize and to continue assistance for Tajikistan is linked to the security of the personnel of the United Nations Mission of Observers in Tajikistan and of international organizations and of humanitarian workers;

13. *Requests* the Secretary-General to continue to monitor the humanitarian situation in Tajikistan and to report to the General Assembly at its fifty-fourth session on the progress made in the implementation of the present resolution;

14. *Decides* to consider at its fifty-fourth session the question of the situation of Tajikistan under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance".

United Nations

A/53/L.45

General Assembly

Distr.: Limited
20 November 1998

Original: English

Fifty-third session
Agenda item 38 (b)
Oceans and the law of the sea: large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments

Australia, Fiji, Marshall Islands, Micronesia (Federated States of), Namibia, New Zealand, Papua New Guinea, Samoa, Singapore, Solomon Islands, South Africa and United States of America: draft resolution

Large-scale pelagic drift-net fishing; unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments

The General Assembly,

Reaffirming its resolutions 52/29 of 26 November 1997, 51/36 of 9 December 1996, 49/118 and 49/116 of 19 December 1994 and 46/215 of 20 December 1991, as well as other relevant resolutions,

Taking note with appreciation of the report of the Secretary-General on large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments,

Emphasizing the useful role that report plays in bringing together information relating to the sustainable development of the world's marine living resources, provided by States, relevant intergovernmental organizations, regional and subregional fisheries organizations, and non-governmental organizations,

Noting with satisfaction that, while significant work remains, interested parties have made real progress towards sustainable fisheries management,

Welcoming the progress in organizing new regional organizations and arrangements in several heretofore unmanaged fisheries

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Noting that the secretariat of the Food and Agriculture Organization of the United Nations stated that 60–70 per cent of world fisheries are either fully exploited or overfished, and encouraging the current intergovernmental negotiating process going on at the Food and Agriculture Organization of the United Nations to address the issue of fishing overcapacity,

Noting with concern the reports of continued loss of seabirds, particularly albatross, as a result of incidental mortality from longline fishing operations, and the loss of other marine species, including sharks and finfish species, as a result of incidental mortality,

Conscious of the need to promote and facilitate international cooperation, especially at the regional and subregional levels, in order to ensure the sustainable development and use of the living marine resources of the world's oceans and seas, consistent with the present resolution and with the duties of States to cooperate in the conservation and management of marine living resources, in accordance with the provisions of the United Nations Convention on the Law of the Sea,[2]

Once again expressing concern at the impact of large-scale drift-net fishing on the marine living resources of the oceans and seas, and noting that there are continuing reports of activities inconsistent with the terms of resolution 46/215,

Concerned also to ensure that the implementation of resolution 46/215 in some parts of the world does not result in the transfer to other parts of the world of drift-nets which contravene the resolution,

Expressing concern at the detrimental impact of unauthorized fishing in areas under national jurisdiction on the sustainable development of the world's fishery resources and on the food security and economies of many States, particularly developing States, and the continuing reports of unauthorized fishing activities, inconsistent with the terms of resolution 49/116, in zones of national jurisdiction,

Recalling that, pursuant to a proposal made at the twenty-second session of the Committee on fisheries of the Food and Agriculture Organization of the United Nations in March 1997, the Food and Agriculture Organization of the United Nations agreed to organize an expert consultation to develop and propose guidelines leading to a plan of action aiming at a reduction in the incidental catch of sea birds, to organize an expert consultation to develop and propose guidelines leading to a plan of action for the conservation and effective management of shark populations, and to hold a technical consultation on the management of fishing capacity to draft guidelines for the control and management of fishing capacities,

Noting with satisfaction that the Consultation on Management of Fishing Capacity, Shark Fisheries and the Incidental Catch of Sea Birds, held from 26 to 30 October 1998, and its preparatory meeting, held in July 1998, produced draft plans of action or elements thereof for approval at the February 1999 meeting of the Committee on Fisheries,

Recognizing the importance of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks[3] and the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, and noting that neither of these agreements has yet entered into force,

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[2] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

[3] A/CONF.164/37; see also A/50/950, annex I.

Noting that the Code of Conduct for Responsible Fisheries sets out principles and global standards of behaviour for responsible practices to conserve, manage and develop fisheries, including guidelines for fishing on the high seas and in areas under the national jurisdiction of other States, and on fishing gear selectivity and practices, with the aim of reducing by-catch and discards,

Recalling also that Agenda 21,[1] adopted at the United Nations Conference on Environment and Development, calls upon States to take effective action, consistent with international law, to deter reflagging of vessels by their nationals as a means of avoiding compliance with applicable conservation and management rules for fishing vessels on the high seas,

Noting with satisfaction that "Oceans and seas" will be the sectoral theme discussed by the Commission on Sustainable Development at its seventh session, in 1999,

1. *Reaffirms*, the importance it attaches to sustainable management and conservation of the marine living resources of the world's oceans and seas, and the obligations of States to cooperate to this end, in accordance with international law, as reflected in the relevant provisions of the United Nations Convention on the Law of the Sea, in particular, the provisions on cooperation set out in part V and part VII, section 2, of the Convention regarding straddling stocks, highly migratory species, marine mammals, anadromous stocks, and marine living resources of the high seas;

2. *Reaffirms* the importance it attaches to compliance with its resolutions 46/215, 49/116, 49/118 and 52/29, and urges States and other entities to enforce fully such measures;

3. *Requests* all participants to work for the adoption of the outcomes of the technical consultation of the Food and Agriculture Organization of the United Nations held in Rome from 26 to 30 October 1998, and encourages all States to act responsibly, as appropriate, at national, regional and global levels to implement the action plans or the guidelines, in particular those for the management of fishing capacity, once adopted by the Committee on fisheries;

4. *Calls upon* States and other entities referred to in article 1, paragraph 2 (b), of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks that have not yet ratified or acceded to the Agreement to consider doing so at the earliest possible time, and to consider applying it provisionally;

5. *Further calls upon* States and other entities referred to in article 10, paragraph 1, of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas that have not submitted instruments of acceptance of the Agreement to consider doing so at the earliest possible time;

6. *Urges* all authorities of members of the international community that have not done so to take greater enforcement responsibility to ensure full implementation of the global moratorium on all large-scale pelagic drift-net fishing on the high seas, including enclosed seas and semi-enclosed seas, and to impose appropriate sanctions, consistent with their obligations under international law, against acts contrary to the terms of resolution 46/215,

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[1] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I, *Resolutions adopted by the Conference*, resolution 1, annex II.

7. *Calls upon* States that have not done so to take measures, including measures to deter reflagging to avoid compliance with applicable obligations, to ensure that fishing vessels entitled to fly their flags do not fish in areas under the national jurisdiction of other States unless duly authorized by the authorities of the State concerned and in accordance with the conditions set out in the authorization, and do not fish on the high seas in contravention of the applicable conservation and management rules;

8. *Urges* States, relevant international organizations and regional and subregional fisheries management organizations and arrangements to take action, including through assistance to developing countries, to reduce by-catches, fish discards and post-harvest losses, consistent with international law and relevant international instruments, including the Code of Conduct for Responsible Fisheries;

9. *Reiterates its call* on organizations with development assistance programmes to make it a high priority to support, including through financial and/or technical assistance, the efforts of developing coastal States, in particular the least developed countries and the small island developing States, to improve the monitoring and control of fishing activities and the enforcement of fishing regulations, including through financial and technical support for regional and subregional meetings for this purpose;

10. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries management organizations, and relevant non-governmental organizations, and to invite them to provide the Secretary-General with information relevant to the implementation of the present resolution;

11. *Also requests* the Secretary-General to ensure that reporting on all major fisheries-related activities and instruments is effectively coordinated, that any duplication of activities and reporting is minimized, and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fisheries organizations and arrangements, to cooperate with the Secretary-General to that end;

12. *Further requests* the Secretary-General to submit to the General Assembly at its fifty-fifth session a report on further developments relating to the implementation of resolution 52/29, the status and implementation of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas and efforts undertaken in the Food and Agriculture Organization of the United Nations, referred to in paragraph 8 of resolution 52/29, taking into account the information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements, and other relevant intergovernmental and non-governmental organizations;

13. *Decides* to include in the provisional agenda of its fifty-fifth session, under the item entitled "Oceans and law of the sea", a sub-item entitled "Large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments".

United Nations A/53/L.45/Add.1

General Assembly

Distr.: Limited
23 November 1998

Original: English

Fifty-third session
Agenda item 38 (b)
Oceans and the law of the sea: large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments

Australia, Fiji, Marshall Islands, Micronesia (Federated States of), Namibia, New Zealand, Papua New Guinea, Samoa, Singapore, Solomon Islands, South Africa and United States of America: draft resolution

Large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments

Addendum

Add the following countries to the list of sponsors of the draft resolution:

Canada, Philippines and Vanuatu.

98-37107 (E) 251198

UNITED NATIONS **A**

General Assembly

Distr.
LIMITED

A/53/L.46
23 November 1998

ORIGINAL: ENGLISH

Fifty third session
Agenda item 59

QUESTION OF EQUITABLE REPRESENTATION ON AND INCREASE IN THE MEMBERSHIP OF THE SECURITY COUNCIL AND OTHER MATTERS

Draft resolution submitted by the President of the General Assembly

The General Assembly,

Mindful of Chapter XVIII of the Charter of the United Nations and of the importance of reaching general agreement as referred to in resolution 48/26 of 3 December 1993, determines not to adopt any resolution or decision on the question of equitable representation on and increase in the membership of the Security Council and related matters, without the affirmative vote of at least two thirds of the Members of the General Assembly.

98-36635 (E) 231198

United Nations A/53/L.47

General Assembly

Distr.: Limited
24 November 1998

Original: English

Fifty-third session
Agenda item 46 (b)
Fiftieth anniversary of the Universal Declaration of Human Rights: fiftieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide

Afghanistan, Albania, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Haiti, India, Ireland, Israel, Italy, Jamaica, Kazakhstan, Kyrgyzstan, Latvia, Liberia, Lithuania, Luxembourg, Madagascar, Malaysia, Mexico, Monaco, Mongolia, Mozambique, Netherlands, New Zealand, Panama, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Slovakia, Slovenia, Spain, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution

Fiftieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide

The General Assembly,

Recalling Commission on Human Rights resolution 1998/10 of 3 April 1998 on the fiftieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide,[1]

Recalling also that the General Assembly, in adopting the Universal Declaration of Human Rights on 10 December 1948,[2] recognized the inherent dignity and the equal and

[1] *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[2] Resolution 217 A (III).

98-36885 (E) 241198

inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,

Recalling further the report of the United Nations High Commissioner for Human Rights,[3] in particular chapter VII thereof, entitled "1998 – Human Rights Year", in which proposals to celebrate the fiftieth anniversary were made, and welcoming the efforts of the High Commissioner to facilitate cooperation between various commemorative initiatives,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, and the Convention on the Prevention and Punishment of the Crime of Genocide,[4] as well as other relevant international instruments of human rights,

Recalling the adoption by the General Assembly of resolution 96 (I) of 11 December 1946, in which it declared genocide to be a crime under international law, contrary to the spirit and aims of the United Nations,

Recalling also that the General Assembly, in adopting the Convention on the Prevention and Punishment of the Crime of Genocide on 9 December 1948, recognized the crime of genocide as an odious scourge which had inflicted great losses on humanity and was convinced that international cooperation was required to facilitate the speedy prevention and punishment of the crime of genocide,

Noting that, fifty years after inclusion of a proposal to that effect, concrete steps have been taken to create international penal tribunals with jurisdiction over persons charged with genocide,

Concerned that, despite the efforts of the international community, many thousands of innocent human beings continue to be victims of genocide,

Taking into consideration the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity of 26 November 1968,[5]

Considering that the fiftieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide provides a new opportunity for the international community to draw the attention of all States to the significance of the Convention and to invite them to redouble their efforts on behalf of the prevention and punishment of the crime of genocide,

1. *Reaffirms* the significance of the Convention on the Prevention and Punishment of the Crime of Genocide as an effective international instrument for the punishment of the crime of genocide;

2. *Expresses its appreciation* to all States that have ratified or acceded to the Convention;

3. *Invites* States that have not yet ratified or acceded to the Convention to consider doing so;

4. *Calls upon* all States to increase and intensify their activities aimed at the full implementation of the provisions of the Convention;

5. *Invites* Governments and the international community to continue to review and assess the progress made in the implementation of the Convention since its adoption, and

[3] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 36* (A/52/36).

[4] Resolution 260 A (III).

[5] Resolution 2391 (XXIII), annex.

to identify obstacles and the way in which they can be overcome, both through measures on the national level and through enhanced international cooperation;

6. *Invites* Governments, the United Nations Secretariat, relevant organs and agencies of the United Nations system within their respective mandates, other international organizations and non-governmental organizations to widely disseminate the Convention together with other international instruments in the field of human rights, with a view to ensuring its universality and full and comprehensive implementation.

United Nations A/53/L.48

General Assembly

Distr.: Limited
25 November 1998

Original: English

Fifty-third session
Agenda item 39
Question of Palestine

Afghanistan, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Malta, Mauritania, Morocco, Niger, Qatar, Saudi Arabia, Senegal, Sudan, Tunisia, United Arab Emirates, Viet Nam, Yemen and Palestine: draft resolution

Committee on the Exercise of the Inalienable Rights of the Palestinian People

The General Assembly,

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 A of 2 December 1977, 33/28 A and B of 7 December 1978, 34/65 A of 29 November 1979 and 34/65 C of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 A and C of 15 December 1980, 36/120 A and C of 10 December 1981, ES-7/4 of 28 April 1982, 37/86 A of 10 December 1982, 38/58 A of 13 December 1983, 39/49 A of 11 December 1984, 40/96 A of 12 December 1985, 41/43 A of 2 December 1986, 42/66 A of 2 December 1987, 43/175 A of 15 December 1988, 44/41 A of 6 December 1989, 45/67 A of 6 December 1990, 46/74 A of 11 December 1991, 47/64 A of 11 December 1992, 48/158 A of 20 December 1993, 49/62 A of 14 December 1994 and 50/84 A of 15 December 1995, 51/23 of 4 December 1996 and 52/49 of 9 December 1997,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[1]

Recalling the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes and Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[2] as well as the subsequent implementation agreements, in particular the Israeli-

[1] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 35* (A/53/35).

[2] A/48/486–S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

98-37058 (E) 251198

Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,[3]

Reaffirming that the United Nations has a permanent responsibility with respect to the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. *Considers* that the Committee can continue to make a valuable and positive contribution to international efforts to promote the effective implementation of the Declaration of Principles on Interim Self-Government Arrangements[2] and to mobilize international support for and assistance to the Palestinian people during the transitional period;

3. *Endorses* the conclusions and recommendations of the Committee contained in chapter VII of its report;[1]

4. *Requests* the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

5. *Authorizes* the Committee to continue to exert all efforts to promote the exercise of the inalienable rights of the Palestinian people, to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments, to give special emphasis to the need to mobilize support and assistance for the Palestinian people and to report thereon to the General Assembly at its fifty-fourth session and thereafter;

6. *Requests* the Committee to continue to extend its cooperation and support to Palestinian and other non-governmental organizations in order to mobilize international solidarity with and support for the achievement by the Palestinian people of its inalienable rights and for a peaceful settlement of the question of Palestine, and to involve additional non-governmental organizations in its work;

7. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), and other United Nations bodies associated with the question of Palestine to continue to cooperate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

8. *Requests* the Secretary-General to circulate the report of the Committee to all the competent bodies of the United Nations, and urges them to take the necessary action, as appropriate;

9. *Also requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

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[3] A/51/889–S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

United Nations A/53/L.49

General Assembly

Distr.: Limited
25 November 1998

Original: English

Fifty-third session
Agenda item 39
Question of Palestine

Afghanistan, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Malta, Mauritania, Morocco, Niger, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, Viet Nam, Yemen and Palestine: draft resolution

Division for Palestinian Rights of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[1]

Taking note in particular of the relevant information contained in chapter V.B of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983, 39/49 B of 11 December 1984, 40/96 B of 12 December 1985, 41/43 B of 2 December 1986, 42/66 B of 2 December 1987, 43/175 B of 15 December 1988, 44/41 B of 6 December 1989, 45/67 B of 6 December 1990, 46/74 B of 11 December 1991, 47/64 B of 11 December 1992, 48/158 B of 20 December 1993, 49/62 B of 14 December 1994, 50/84 B of 15 December 1995, 51/24 of 4 December 1996 and 52/50 of 9 December 1997,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with its resolution 52/50;

2. *Considers* that the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution;

3. *Requests* the Secretary-General to continue to provide the Division with the necessary resources and to ensure that it continues to carry out its programme of work as detailed in the relevant earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance,

[1] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 35* (A/53/35).

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including, in particular, the organization of meetings in various regions with the participation of all sectors of the international community, the further development and expansion of the documents collection of the United Nations Information System on the Question of Palestine, the preparation and widest possible dissemination of publications and information materials on various aspects of the question of Palestine, the provision of assistance in completing the project on the modernization of the records of the United Nations Conciliation Commission for Palestine, and the provision of the annual training programme for staff of the Palestinian Authority;

4. *Also requests* the Secretary-General to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. *Invites* all Governments and organizations to lend their cooperation to the Committee and the Division in the performance of their tasks;

6. *Notes with appreciation* the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People, requests them to continue to give the widest possible publicity to the observance, and requests the Committee and the Division to continue to organize, as part of the observance of the Day of Solidarity, an annual exhibit on Palestinian rights in cooperation with the Permanent Observer Mission of Palestine to the United Nations.

United Nations

A/53/L.50

General Assembly

Distr.: Limited
25 November 1998

Original: English

Fifty-third session
Agenda item 39
Question of Palestine

Afghanistan, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Malta, Mauritania, Morocco, Niger, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, Viet Nam, Yemen and Palestine: draft resolution

Special information programme on the question of Palestine of the Department of Public Information of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[1]

Taking note in particular of the information contained in chapter VI of that report,

Recalling its resolution 52/51 of 9 December 1997,

Convinced that the worldwide dissemination of accurate and comprehensive information and role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people,

Aware of the Declaration of Principles on Interim Self-Government Arrangements signed by the Government of the State of Israel and Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[2] and of the subsequent implementation agreements, in particular the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,[3] and their positive implications,

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[1] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 35* (A/53/35).

[2] A/48/486–S/26560, annex. See *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.I.

[3] A/52/889–S/1997/357, annex. See *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

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1. *Notes with appreciation* the action taken by the Department of Public Information of the Secretariat in compliance with resolution 52/51;

2. *Considers* that the special information programme on the question of Palestine of the Department is very useful in raising the awareness of the international community concerning the complexities of the question of Palestine and the situation in the Middle East in general, including the achievements of the peace process, and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process;

3. *Requests* the Department, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme for the biennium 1998–1999, and in particular:

(*a*) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports on the work carried out by the relevant United Nations organizations;

(*b*) To continue to issue and update publications on the various aspects of the question of Palestine in all fields, including materials concerning the recent developments in that regard and, in particular, the prospects for peace;

(*c*) To expand its collection of audio-visual material on the question of Palestine and to continue the production of such material, including the updating of the exhibit in the Secretariat;

(*d*) To organize and promote fact-finding news missions for journalists to the area, including the territories under the jurisdiction of the Palestinian Authority and the occupied territories;

(*e*) To organize international, regional and national seminars or encounters for journalists;

(*f*) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the training programme for Palestinian broadcasters and journalists initiated in 1995.

United Nations

A/53/L.51

General Assembly

Distr.: Limited
25 November 1998

Original: English

Fifty-third session
Agenda item 39
Question of Palestine

Afghanistan, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Malta, Mauritania, Morocco, Niger, Oman, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, Viet Nam, Yemen and Palestine: draft resolution

Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including resolutions adopted at the tenth emergency special session,

Recalling also the relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973,

Aware that 1997 marked fifty years since the adoption of resolution 181 (II) of 29 November 1947 and thirty years since the occupation of Palestinian territory, including Jerusalem,

Having considered the report of the Secretary-General[1] submitted pursuant to the request made in its resolution 52/52 of 9 December 1997,

Convinced that achieving a final and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of a comprehensive and lasting peace in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles of the Charter of the United Nations,

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Affirming also the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem,

[1] A/53/652–S/1998/1050; see *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*, document S/1998/1050.

98-37080 (E) 251198

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the signing by the two parties of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993,[2] as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,[3]

Recalling also the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho area in 1995 in accordance with the agreements reached by the parties, and the initiation of the Palestinian Authority in those areas, as well as the beginning of the redeployment of the Israeli army in the rest of the West Bank in 1996,

Noting with satisfaction the successful holding of the first Palestinian general elections,

Noting with appreciation the work of the Office of the United Nations Special Coordinator in the Occupied Territories and its positive contribution,

Welcoming the convening of the Conference to Support Middle East Peace in Washington, D.C., on 1 October 1993, as well as all follow-up meetings and the international mechanisms established to provide assistance to the Palestinian people,

Concerned about the serious difficulties facing the Middle East peace process, and expressing the hope that the Wye River Memorandum, signed in Washington, D.C., on 23 October 1998, will be fully implemented towards full compliance with the existing agreements,

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects;

2. *Expresses its full support* for the ongoing peace process which began in Madrid and the Declaration of Principles on Interim Self-Government Arrangements of 1993,[2] as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 1995,[3] and expresses the hope that the process will lead to the establishment of a comprehensive, just and lasting peace in the Middle East;

3. *Stresses* the necessity for commitment to the principle of land for peace and the implementation of Security Council resolutions 242 (1967) and 338 (1973), which form the basis of the Middle East peace process, and the need for the immediate and scrupulous implementation of the agreements reached between the parties, including the redeployment of the Israeli forces from the West Bank and the commencement of the negotiations on the final settlement;

4. *Calls upon* the concerned parties, the co-sponsors of the peace process and other interested parties, as well as the entire international community to exert all the necessary efforts and initiatives to bring the peace process back on track and to ensure its continuity and success;

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[2] A/48/486–S/26560, annex, see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[3] A/51/889–S/1997/357, annex, see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

5. *Stresses* the need for:

(a) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination;

(b) The withdrawal of Israel from the Palestinian territory occupied since 1967;

6. *Also stresses* the need for resolving the problem of the Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

7. *Urges* Member States to expedite the provision of economic and technical assistance to the Palestinian people during this critical period;

8. *Emphasizes* the importance for the United Nations to play a more active and expanded role in the current peace process and in the implementation of the Declaration of Principles;

9. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter.

United Nations A/53/L.52

General Assembly

Distr.: Limited
25 November 1998

Original: English

Fifty-third session
Agenda item 40
The situation in the Middle East

Bangladesh, Comoros, Cuba, Egypt, Jordan, Kuwait, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993, 49/87 A of 16 December 1994, 50/22 A of 4 December 1995, 51/27 of 4 December 1996 and 52/53 of 9 December 1997, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General,[1]

1. *Determines* that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

[1] A/53/550.

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3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

United Nations A/53/L.53

General Assembly

Distr.: Limited
25 November 1998

Original: English

Fifty-third session
Agenda item 40
The situation in the Middle East

Bangladesh, Comoros, Cuba, Djibouti, Egypt, Jordan, Kuwait, Lebanon, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

The situation in the Middle East: the Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General,[1]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Stressing the illegality of the Israeli settlement construction and activities in the occupied Syrian Golan since 1967,

Noting with satisfaction the convening at Madrid on 30 October 1991 of the Peace conference on the Middle East, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the formula of land for peace,

[1] A/53/550.

[2] United Nations, *Treaty Series*, vol. 75, No. 973.

98-37092 (E) 251198

Expressing grave concern over the halt in the peace process on the Syrian and Lebanese tracks, and expressing the hope that peace talks will soon resume from the point they had reached,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Declares also* that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[3] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Calls upon* Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;

6. *Demands once more* that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. *Calls upon* all the parties concerned, the co-sponsors of the peace process and the entire community to exert all the necessary efforts to ensure the resumption of the peace process and its success;

8. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

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[3] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

United Nations A/53/L.54

General Assembly

Distr.: Limited
25 November 1998

Original: English

Fifty-third session
Agenda item 20 (d)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: assistance to the Palestinian people

Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 52/170 of 16 December 1997,

Recalling also previous resolutions on the question,

Welcoming the signing of the Declaration of Principles on Interim Self-Government Arrangements of 1993 between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[1] as well as the signing of the subsequent implementation agreements, including the Interim Agreement on the West Bank and the Gaza Strip of 1995,[2]

Gravely concerned about the difficult economic and employment conditions facing the Palestinian people throughout the occupied territory,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory and the living conditions of the Palestinian people,

Aware that development is difficult under occupation and best promoted in circumstances of peace and stability,

[1] A/48/486–S/26560, annex, see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[2] A/51/889–S/1997/357, annex, see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

98-37185 (E) 251198

Noting, in the light of recent developments in the peace process, the great economic and social challenges facing the Palestinian people and their leadership,

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,

Noting the convening of the United Nations Seminar on Assistance to the Palestinian People, "Facing the challenges of the year 2000: promoting Palestinian national development",[3] held at Cairo on 27 and 28 April 1998,

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people, including assistance in the fields of elections, police training and public administration,

Noting the appointment by the Secretary-General in June 1994 of the United Nations Special Coordinator in the Occupied Territories,

Welcoming the results of the Conference to support Middle East Peace, convened in Washington, D.C., on 1 October 1993, and the establishment of the Ad Hoc Liaison Committee and the work being done by the World Bank as its secretariat, as well as the establishment of the consultative group,

Welcoming also the establishment by the Ad Hoc Liaison Committee of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,

Welcoming further the fifth meeting of the consultative group in Paris on 14 and 15 December 1997, in particular the pledges of the international donor community and the presentation of the first Palestinian Development Plan for the years 1998–2000,

Welcoming the convening of a Ministerial Conference to support Middle East Peace and Development in Washington, D.C., on 30 November 1998,

Having considered the report of the Secretary-General,[4]

1. *Takes note* of the report of the Secretary-General;[4]

2. *Expresses its appreciation* to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;

3. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;

4. *Stresses* the importance of the work done by the United Nations Special Coordinator in the Occupied Territories and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;

5. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;

6. *Calls upon* relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in

[3] A/53/152–E/1998/71.
[4] A/53/153–E/1998/75.

accordance with the Palestinian priorities set forth by the Palestinian Authority, with emphasis on national execution and capacity-building;

7. *Urges* Member States to open their markets to exports of Palestinian products on the most favourable terms, consistent with appropriate trading rules;

8. *Calls upon* the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

9. *Suggests* the convening in 1999 of a United Nations-sponsored seminar on the Palestinian economy;

10. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-fourth session, through the Economic and Social Council, on the implementation of the present resolution, containing:

(a) An assessment of the assistance actually received by the Palestinian people;

(b) An assessment of the needs still unmet and specific proposals for responding effectively to them;

11. *Decides* to include in the provisional agenda of its fifty-fourth session, under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", the sub-item entitled "Assistance to the Palestinian people".

United Nations A/53/L.55

General Assembly

Distr.: Limited
25 November 1998

Original: English

Fifty-third session
Agenda item 41
The situation in Bosnia and Herzegovina

Austria, Bosnia and Herzegovina, Croatia, Czech Republic, Egypt, Hungary, Indonesia, Jordan, Kuwait, Liechtenstein, Malaysia, Morocco, Pakistan, Saudi Arabia, Slovenia, Turkey and United States of America: draft resolution

The situation in Bosnia and Herzegovina

The General Assembly,

Recalling its resolutions 46/242 of 25 August 1992, 47/1 of 22 September 1992, 47/121 of 18 December 1992, 48/88 of 20 December 1993, 49/10 of 3 November 1994, 51/203 of 17 December 1996 and 52/150 of 15 December 1997 and all relevant resolutions of the Security Council regarding the situation in Bosnia and Herzegovina,

Reaffirming its support for the independence, sovereignty, legal continuity and territorial integrity of Bosnia and Herzegovina, within its internationally recognized borders,

Also reaffirming its support for the equality of the three constituent peoples and others in Bosnia and Herzegovina as a united country with two multi-ethnic entities,

Welcoming the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively, the "Peace Agreement"), signed in Paris on 14 December 1995,[1]

Also welcoming the efforts for the respect, promotion and protection of human rights in all of Bosnia and Herzegovina and for the functioning of the common institutions of Bosnia and Herzegovina, in accordance with the relevant provisions of the Peace Agreement,

Supporting those institutions and organizations of Bosnia and Herzegovina which are engaged in implementation of the Peace Agreement and the process of reconciliation and reintegration,

[1] See A/50/790–S/1995/999, see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December, 1995*, document S/1995/999.

98-37246 (E) 251198

Concerned by the continuing obstructions faced by refugees and displaced persons wishing to return to their homes, in particular in areas where they would be an ethnic minority, emphasizing the need for all parties and the relevant States and international organizations to create the conditions necessary to facilitate return, and stressing the need for a regional approach to the issue of refugees and displaced persons,

Welcoming the results of the Sarajevo and Banja Luka return conferences and urging the authorities to accelerate implementation and remove immediately all remaining political, legal and administrative obstacles to minority returns,

Expressing support for the efforts of the Coalition for Return and the Inter-Religious Council in facilitating the objectives of annex 7 of the Peace Agreement,

Supporting fully the efforts of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, stressing the importance and urgency of the work of the International Tribunal as an element of the process of reconciliation in Bosnia and Herzegovina and in the region as a whole, demanding that States and parties to the Peace Agreement meet their obligations to cooperate fully with the Tribunal, as required by Security Council resolutions 827 (1993) of 25 May 1993, 1022 (1995) of 22 November 1995 and 1207 (1998) of 17 November 1998, including with respect to surrendering persons sought by the Tribunal, and welcoming the efforts to secure compliance with the orders of the Tribunal, consistent with the Security Council mandate,

Welcoming the efforts of the High Representative and the Commander of the Stabilization Force in implementing the provisions of the Peace Agreement, including provisions concerning the International Tribunal,

Having considered the fifth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, and noting that the reporting period has been characterized by a substantial improvement over previous years with respect to execution of the Tribunal's orders and compliance with obligations under international law, and also noting that much remains to be done by entities and States in the area,

Noting that most indictees at large are known or are believed to remain free in the territory of the Republika Srpska, an entity of Bosnia and Herzegovina, and the Federal Republic of Yugoslavia, expressing grave concern over the fact that the Federal Republic of Yugoslavia continues to ignore relevant obligations under international law, particularly through its refusal to arrest and surrender persons indicted by the International Tribunal, and also noting that there have been some positive signs on the part of the Republika Srpska for willingness to cooperate with the Tribunal,

Commending the work of the International Commission on Missing Persons and urging the parties to cooperate more effectively to clarify the fate of all missing persons,

Welcoming the mutual recognition among all the successor States of the former Socialist Federal Republic of Yugoslavia within their internationally recognized borders, and stressing the importance of full normalization of relations among those States, including the unconditional establishment of diplomatic relations, in accordance with the Peace Agreement, and the settlement of all issues relating to the succession of the former Yugoslavia, in order to contribute to the achievement of lasting peace and stability in the area,

Welcoming the signing of the Agreement on the Establishment of an Interstate Council for Cooperation between the Republic of Croatia and Bosnia and Herzegovina and the signing of the Agreement on Special Relations between the Republic of Croatia and the Federation of Bosnia and Herzegovina,

Also welcoming the signing of the Agreement on Free Transit through the territory of Croatia to and from the port of Ploce and through the territory of Bosnia and Herzegovina in Neum, and emphasizing its importance with respect to the economic benefit to the two countries and the comprehensive bilateral relationship between them,

Further welcoming the signing of the Protocol on the Introduction of Traffic in Internal Navigable Waterways on the Sava River and its Tributaries between the Republic of Croatia and Bosnia and Herzegovina, and annex 2 of the Memorandum of Understanding concerning Joint Reconstruction of Traffic Links between the Republic of Croatia and Bosnia and Herzegovina,

Stressing the importance of full respect for human rights and fundamental freedoms for the success of the peace efforts for the region, and calling upon the Governments and the authorities in the region, as well as relevant international organizations, to facilitate such full respect,

Noting that democratization in the region will enhance the prospects for a lasting peace and help guarantee full respect for human rights in Bosnia and Herzegovina and in the region,

Welcoming the successful holding of general elections throughout Bosnia and Herzegovina under the supervision of the Organization for Security and Cooperation in Europe on 12 and 13 September 1998, and looking forward to the rapid implementation of the election results,

Noting the positive impact of the four previous pledging conferences on the peace process and reintegration of the country as well as the reconstruction effort, held on 21 December 1995, 13 and 14 April 1996, 25 July 1997 and 8 and 9 May 1998 and chaired by the World Bank and the European Union, stressing the importance and urgency of providing the pledged financial assistance and technical cooperation for reconstruction efforts, and stressing the role of economic revitalization in the process of reconciliation, in the improvement of living conditions and in the maintenance of a durable peace in Bosnia and Herzegovina and in the region,

Stressing that the provision of reconstruction aid and financial assistance is conditional upon the parties' meeting their obligations under the Peace Agreement,

Welcoming in particular the important efforts of the European Union and bilateral and other donors to provide humanitarian and economic assistance for reconstruction,

Welcoming the European Union Declaration on Bosnia and Herzegovina of 8 June 1998, setting out the prospects for closer cooperation between Bosnia and Herzegovina and the European Union and the creation of the European Union/Bosnia and Herzegovina Consultative Task Force,

Underlining that the full, comprehensive and consistent implementation of the Peace Agreement is vital for the maintenance of international peace and security,

Recognizing the importance of demining for the normalization of life and for the return of refugees and internally displaced persons,

1. *Expresses its full support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (the "Peace Agreement"), signed at Paris

on 14 December 1995,[1] which constitutes the key mechanism for the achievement of a durable and just peace in Bosnia and Herzegovina, leading to stability and cooperation in the region and the reintegration of Bosnia and Herzegovina at all levels;

2. *Welcomes* the successful implementation of certain aspects of the Peace Agreement, including the establishment of a lasting cessation of hostilities, the introduction of a new flag, passports, common licence plates and a common currency, the implementation of the municipal elections held on 13 and 14 September 1997, and the holding of free and fair elections on 12 and 13 September 1998 throughout Bosnia and Herzegovina;

3. *Reiterates its demands* for the full, comprehensive and consistent implementation of the Peace Agreement for peace in Bosnia and Herzegovina;

4. *Supports fully* the coordinated efforts of the High Representative in the implementation of the peace process in Bosnia and Herzegovina, in accordance with the Peace Agreement, and calls upon all parties to cooperate fully and in good faith with him;

5. *Reaffirms* the conclusions of the Peace Implementation Conference,[2] held at Bonn, Germany, on 9 and 10 December 1997, and calls upon all parties as signatories to the Peace Agreement and others concerned to implement fully those conclusions, including compliance with the decisions of the High Representative, and to continue to work for a peaceful, reintegrated and stable Bosnia and Herzegovina, in accordance with the Peace Agreement;

6. *Also welcomes* the conclusions of the Ministerial Meeting of the Steering Board of the Peace Implementation Council, held in Luxembourg on 9 June 1998,[3] and demands their full implementation;

7. *Calls upon* all parties to cooperate fully, and in good faith, in ensuring substantial functioning of all of the common institutions of Bosnia and Herzegovina in accordance with the relevant provisions of the Peace Agreement, and urges the relevant international organizations to continue to provide assistance to meet the infrastructural needs of the common institutions of Bosnia and Herzegovina;

8. *Recognizes* that responsibility for consolidating the peace lies primarily with the authorities of Bosnia and Herzegovina, as was confirmed in particular in the joint declaration adopted at Geneva on 14 August 1996;

9. *Also recognizes* that the role of the international community remains essential, and welcomes the readiness of the international community to continue its efforts towards a self-sustaining peace;

10. *Underlines* that the assistance by the international community remains strictly conditional upon compliance with the Peace Agreement and subsequent obligations, including, in particular, cooperation with the International Tribunal and facilitation of the return of refugees and displaced persons;

11. *Welcomes* the vital contribution of the multinational Stabilization Force in providing a secure environment for the implementation of civilian aspects of the Peace Agreement, calls upon all parties to cooperate fully with it, and in this context, welcomes the authorization by the Security Council of the extension of the mandate of the multinational Stabilization Force;

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[2] See A/52/728-S/1997/979, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/979.

[3] See S/1998/498.

12. *Expresses its full support* for the efforts of the United Nations International Police Task Force in carrying out its mandate, and calls for the fullest cooperation by all parties in this regard;

13. *Stresses* the importance of the full, comprehensive and consistent implementation of the Peace Agreement, including cooperation and compliance with the International Tribunal, the establishment of the necessary conditions for the voluntary return of refugees and displaced persons and the establishment of the necessary conditions for freedom of movement;

14. *Welcomes* the successful implementation of the 1997 municipal elections in the overwhelming majority of municipalities, requests the full implementation of the results, and urges the elected authorities to work in a spirit of reconciliation;

15. *Underlines* the importance of establishing, strengthening and expanding free and pluralistic media throughout all of Bosnia and Herzegovina, welcomes the establishment of the Intermediate Media Standards and Licensing Commission in order to promote free, independent and fully restructured media, and stresses the importance of continuing the implementation and development of a truly public television broadcasting service throughout Bosnia and Herzegovina;

16. *Insists upon* the need to surrender all indictees to the International Tribunal for trial, notes that the Tribunal has the authority to address individual responsibility for the perpetration of the crime of genocide, crimes against humanity and other serious violations of international humanitarian law, including in Bosnia and Herzegovina, and demands that all the parties fulfil their obligations to hand over to the Tribunal all indicted persons in territories under their control, to otherwise comply fully with the orders of the Tribunal and to cooperate with the work of the Tribunal, including with exhumations and other investigative acts, in accordance with article 29 of the statute of the Tribunal, with all relevant Security Council resolutions and in accordance with the relevant provisions of the Peace Agreement, in particular the Constitution of Bosnia and Herzegovina;

17. *Welcomes* the support given by Member States so far and urges Member States, taking into account the orders and requests of the International Tribunal, to offer the Tribunal their full support, including financial support, in order to ensure the completion of the Tribunal's purpose, and to carry out their obligations under the statute of the Tribunal and all relevant Security Council resolutions;

18. *Requests* the Secretary-General to provide, by 1 September 1999, a comprehensive report on the events dating from the establishment of the safe area of Srebrenica on 16 April 1993 under Security Council resolution 819 (1993) of 16 April 1993 until the endorsement of the Peace Agreement by the Security Council under resolution 1031 (1995) of 15 December 1995, bearing in mind the relevant decisions of the Security Council and the proceedings of the International Tribunal in this respect, and encourages Member States and others concerned to provide relevant information;

19. *Reaffirms once again* the right of refugees and displaced persons to return voluntarily to their homes of origin in accordance with the Peace Agreement, in particular annex 7 thereto, and the realization of the same in cooperation with the Office of the United Nations High Commissioner for Refugees and host countries, calls upon all parties to substantially improve their cooperation with the international community at the state, entity and local levels, in order to establish immediately the conditions necessary for the return of refugees and displaced persons to their homes and for the freedom of movement and communication of all the citizens of Bosnia and Herzegovina, and upon the relevant international organizations to enhance the conditions to facilitate return, in accordance with

relevant provisions of the Peace Agreement and its annexes, in particular the Constitution of Bosnia and Herzegovina, and welcomes continued and new efforts by the United Nations agencies, the European Union, bilateral and other donors and intergovernmental and non-governmental organizations to establish and implement projects designed to facilitate the early voluntary and orderly return of refugees and displaced persons to all regions of Bosnia and Herzegovina, including projects that would help to create a safe and secure environment with increased economic opportunity;

20. *Encourages* the acceleration of the peaceful, orderly and phased return of refugees and displaced persons, including to areas where they would be an ethnic minority, and strongly condemns all acts of intimidation, violence and killings, including those acts designed to discourage the voluntary return of refugees and displaced persons, and demands that such acts be investigated and prosecuted;

21. *Reaffirms once again its support* for the principle that all statements and commitments made under duress, particularly those regarding land and property, are wholly null and void, in accordance with the relevant provisions of the Peace Agreement, and supports the effective engagement of the Commission on Property Claims of Displaced Persons and Refugees, in compliance with its mandate;

22. *Urges* the adoption and effective implementation of new non-discriminatory property and housing legislation in both entities in order to enable refugees and displaced persons to return to their pre-war homes;

23. *Emphasizes* the importance of economic revitalization and reconstruction for the successful consolidation of the peace process in Bosnia and Herzegovina;

24. *Recognizes* the important contribution of the international community, and invites it to continue to improve coordination;

25. *Stresses* the need for a more comprehensive approach to economic reform, which should contribute to the more homogenous development of economy and trade in the two entities and across the inter-entity boundary line;

26. *Stresses* the importance of establishing an economic programme which should include the creation of a framework for private-sector development, including privatization and improvement of foreign investment conditions, the restructuring of banking and capital markets, the reform of the financial system and adequate social protection;

27. *Welcomes* the progress made in implementing the decision of the Brcko Arbitration Board, stresses that the obligation to cooperate fully with the Supervisor for Brcko and his decisions is an essential obligation for both entities, and notes that the outcome of the Arbitration Award will be significantly affected by the degree of compliance shown by the parties;

28. *Welcomes* the progress made in the implementation of articles II and IV of the Agreement on Regional Stabilization negotiations and the successful graduation to article V, and urges all parties to continue to pursue the full implementation of their obligations;

29. *Stresses* the need for timely information about the level of cooperation and compliance with the International Tribunal and its orders, the status and programme for the return of refugees and displaced persons to and within Bosnia and Herzegovina and the status and implementation of the Agreement on Subregional Arms Control;

30. *Welcomes* the efforts of international and regional organizations, Member States and non-governmental organizations, including through the Board of Donors, as well as the efforts of Bosnia and Herzegovina, in the field of mine action and, in this context, also

welcomes the recent transfer of the responsibilities for the national mine action programme to the Government of Bosnia and Herzegovina and the establishment of the new Slovenian International Trust Fund for Demining and Mine Victims Assistance in Bosnia and Herzegovina, and invites Member States to continue to support the mine action activities in Bosnia and Herzegovina;

31. *Commends* the efforts of the international community, including the Council of Europe, the European Union, the European Community Monitoring Mission, the European Bank for Reconstruction and Development, the International Committee of the Red Cross, the International Monetary Fund, the multinational Stabilization Force, non-governmental organizations, the Organization of the Islamic Conference, the Islamic Development Bank, the Islamic Chamber of Commerce and Industry, the Organization for Security and Cooperation in Europe, the Peace Implementation Council, and the World Bank, in their roles in the implementation of the Peace Agreement;

32. *Commends* in particular, the efforts of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the office of the High Representative for Implementation of the Peace Process in Bosnia and Herzegovina, the office of the Special Rapporteur for Human Rights of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights, the United Nations International Police Task Force, the United Nations Mission in Bosnia and Herzegovina, the United Nations Development Programme and the other United Nations agencies in the peace process, and encourages their further engagement in the peace process in Bosnia and Herzegovina;

33. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "The situation in Bosnia and Herzegovina".